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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/721,468	11/22/2000	Katsuyoshi Kondoh	70868-55057	3047

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EXAMINER

EBRAHIMI DEHKORDY, SAEID

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/721,468 ✓	<b>Applicant(s)</b> KONDOH, KATSUYOSHI	
	<b>Examiner</b> Saeid Ebrahimi-dehKordy	<b>Art Unit</b> 2626	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 September 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/6/05</u> | 6) <input type="checkbox"/> Other: _____  |

### **Response to Arguments**

1. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues on page 9 of the response filed on 9/2/05 that the Bloomberg reference does not contemplate the storage of mask data to be superimposed on the read out image data except to the very limited extent. The following new rejection using Mita et al in combination with the Bloomberg efficiently demonstrate the storage which is provided by the Mita et al to store the mask data which is in the predetermined layout of an hart shape image.

#### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bloomberg (U.S. patent 5,181,255) in view of Mita et al (U.S. patent 5,060,280)

Regarding claim 1 and 19 Bloomberg discloses: A reading apparatus comprising: a reading portion for reading data entered in a form where a predetermined layout is printed (please note Fig.1A item 103 the scanner for reading the data and digitizing it, column 5 lines 45-53) and a control portion for controlling an entirety of the apparatus (please note Fig.1A item 106 the processor) wherein the control portion superimposes the mask data on the image data (please note Fig.1B, column 6 lines 7-20 and column 6 lines 44-67 and column 7 lines 1-7) and deletes a part of image data covered with the

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mask data to thereby extract the data entered in the form from the image (please note column 7 lines 1-7 where either the handwritten or the text part of the image is extracted). However Bloomberg does not disclose: a storage portion in which mask data of the predetermined layout to be superimposed on read out image is pre-stored. On the other hand Mita et al discloses: a storage portion in which mask data of the predetermined layout to be superimposed on read out image is pre-stored (note Figs.1&18, column 9 lines 45-67 and specifically lines 557-63 where the mask data of the predetermined layout of hart image is stored in the memory 42). Therefore it would have been obvious to a person of ordinary skill in art at the time of the invention to modify Bloomberg's invention according to the teaching of Mita et al , where Mita et al in the same field of endeavor teach the way the mask data is pre-stored in the memory for the purpose of being retrieved and superimposed on the image.

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2-13 and 17-18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over (Bloomberg (U.S. patent 5,181,255) in view of Mita et al (U.S. patent 5,060,280) and further in view of Ohki et al (U.S. patent 6,636,647)

Regarding claim 2 Neither Bloomberg nor Mita et al quite teach: wherein the control portion reads a layout code previously printed on the form by the reading portion, and reads mask data of the layout corresponding to the layout code from the storage portion. On the other hand Ohki et al disclose: The reading apparatus of claim 1, wherein the control portion reads a layout code previously printed on the form by the reading portion, and reads mask data of the layout corresponding to the layout code from the storage portion (please note column 7 lines 38-51). Therefore it would have been obvious to a person of ordinary skill in art at the time of the invention to modify Bloomberg or Mita et al's invention according to the teaching of Ohki et al, where Ohki et al in the same filed of endeavor teach the way the images and formed are being scanned for the purpose of superimposing and masking procedures.

Regarding claim 3 Ohki et al disclose: The reading apparatus of claim 1, wherein the control portion reads a detection mark previously printed on the form by the reading portion and corrects position and inclination of the image data (please note column 5 lines 44-51).

Regarding claim 4 Ohki et al disclose: The reading apparatus of claim 2, wherein the control portion reads a detection mark previously printed on the form by the reading portion and corrects position and inclination of the image data (please note column 5 lines 53-56).

Regarding claim 5 Ohki et al disclose: The reading apparatus of claim 1, wherein the control portion reads the detection mark previously printed on the form by the

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reading portion and adjusts the size of the image data and the size of the mask data read from the storage portion to each other (please note column 7 lines 59-65).

Regarding claim 6 Ohki et al disclose: The reading apparatus of claim 2, wherein the control portion reads the detection mark previously printed on the form by the reading portion and adjusts the size of the image data and the size of the mask data read from the storage portion to each other (please note column 6 lines 36-50)

Regarding claim 7 Ohki et al disclose: The reading apparatus of claim 3, wherein the control portion reads the detection mark previously printed on the form by the reading portion and adjusts the size of the image data and the size of the mask data read from the storage portion to each other (please note column 16 lines 19-26).

Regarding claim 8 Ohki et al disclose: The reading apparatus of claim 4, wherein the control portion reads the detection mark previously printed on the form by the reading portion and adjusts the size of the image data and the size of the mask data read from the storage portion to each other (please note column 7 lines 38-45).

Regarding claim 9 Ohki et al disclose: The reading apparatus of claim 1, wherein the control portion reads a print magnification previously printed on the form by the reading portion, and reads from the storage portion the mask data of a size corresponding to the print magnification (please note column 10 lines 13-23).

Regarding claim 10 Ohki et al disclose: The reading apparatus of claim 2, wherein the control portion reads a print magnification previously printed on the form by the reading portion, and reads from the storage portion the mask data of a size corresponding to the print magnification (please note column 7 lines 52-65).

Regarding claim 11 Ohki et al disclose: apparatus of claim 3, wherein the control portion reads a print magnification previously printed on the form by the reading portion and reads from the storage portion the mask data of a size corresponding to the print magnification (please note column (please note column 11 lines 63-67 and column 12 lines 1-5).

Regarding claim 12 Ohki et al disclose: The reading apparatus of claim 4, wherein the control portion reads a print magnification previously printed on the form by the reading portion, and reads from the storage portion the mask data of a size corresponding to the print magnification (please note column 10 lines 12-20).

Regarding claim 13 Ohki et al disclose: The reading apparatus of claim 1, wherein in the storage portion, mask data of thicker entry box lines than the entry box lines of the layout printed on the form is stored (please note column 7 lines 38-52).

Regarding claim 17 Ohki et al disclose: The reading apparatus of claim 4, wherein the mask data is data of print areas of the predetermined layout code and detection marks (please note column 4 lines 55-67 and column 5 lines 1-16).

Regarding claim 18 Ohki et al disclose: The reading apparatus of claim 16, wherein the mask data is data of print areas of the predetermined layout, layout code and detection marks (please note column 5 lines 44-65).

Regarding claim 20 Ohki et al disclose: The data processing system of claim 19, wherein the layout management means registers a layout where parts for data entry are enlarged and an original layout where the parts are not enlarged so as to be associated with each other (please note column 9 lines 45-54).

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3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bloomberg (U.S. patent 5,181,255) in view of Mita et al (U.S. patent 5,060,280) and further in view of Ohki et al (U.S. patent 6,636,647) and yet further in view of Hart et al (U.S. patent 5,694,494)

Regarding claim 14 neither Bloomberg, Mita et al nor Ohki et al disclose: wherein in the storage portion, mask data of thicker entry box lines than the entry box lines of the layout printed on the form is stored. On the other hand Hart et al disclose: The reading apparatus of claim 2, wherein in the storage portion, mask data of thicker entry box lines than the entry box lines of the layout printed on the form is stored (please note column 6 lines 7-13). Therefore it would have been obvious to a person of ordinary skill in art at the time of the invention to modify Bloomberg, Mita et al and Ohki et al's invention according to the teaching of Hart et al, where Hart et al in the same filed of endeavor teach the way the images and formed are being scanned for the purpose of superimposing and masking procedures.

Regarding claim 15 Hart et al disclose: The reading apparatus of claim 3, wherein in the storage portion, mask data of thicker entry box lines than The entry box lines of the layout printed on the form is stored (please note column 4 lines 46-60).



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Regarding claim 16 Hart et al disclose: The reading apparatus of claim 4, wherein in the storage portion, mask data of thicker entry box lines than the entry box lines of the layout printed on the form is stored (please note column 4 lines 13-36).

### **Conclusion**

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### **Contact Information**

➤ Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Saeid Ebrahimi-Dehkordy* whose telephone number is (571) 272-7462.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams, can be reached at (571) 272-7471.

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**Any response to this action should be mailed to:**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**Or faxed to:**

(703) 872-9306, or (703) 308-9052 (for **formal** communications; please  
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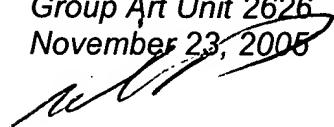
**Or:**

(703) 306-5406 (for **informal** or **draft** communications, please label  
"PROPOSED" or "DRAFT")

**Hand delivered responses** should be brought to Knox building on 501 Dulany  
Street, Alexandria, VA.

Any inquiry of a general nature or relating to the status of this application should be  
directed to the Group Receptionist whose telephone number is (703) 305-4750.

Saeid Ebrahimi-Dehkordy  
Patent Examiner  
Group Art Unit 2626  
November 23, 2005



MARK WALLERSON  
PRIMARY EXAMINER